

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

---:---

P R O C E E D I N G S

BOARD MEETING

Tuesday, July 25, 1978

10:00 o'clock a.m.

DOYLE G. BERRY,
Chairman

Wildlife and Fisheries
Building, Room 102
400 Royal Street
New Orleans, Louisiana

Helen R. Dietrich,
Reporter.



Helen R. Dietrich, inc.
Stenotypists

333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 • (504) 524-4787

P R O C E E D I N G S

. . . Pursuant to notice, the regular monthly meeting of Louisiana Wildlife and Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, July 25, 1978, at the Wildlife and Fisheries Building, Room 102, 400 Royal Street, New Orleans, Louisiana, Doyle G. Berry, Chairman, presiding. . . .

PRESENT WERE:

DOYLE G. BERRY, Chairman

DONALD F. WILLE, Vice Chairman

J. C. GILBERT, Member

HARVEY CLAY LUTTRELL, Member

CHARLES RIGGS, Member

A G E N D A

1. Approval of minutes of June 27, 1978. (5)

DR. LYLE ST. AMANT

2. Request from Sidney F. Diez for renewal of permit expiring August 31, 1978, to remove fill material from the Amite River 3/4 miles west of Port Vincent (5)



Bridge, Ascension Parish.

3. Request from Mississippi River Materials, Inc. (7)
to renew permit expiring July 30, 1978,
to remove sand and fill material from
the Mississippi River in vicinity of
Mile 71.0 AHP between Mile 70.26 AHP
and Mile 71.57 AHP, Plaquemines Parish.
 4. H and H Contracting Company requests renewal (8)
of permit to remove fill material from
the Red River in the vicinity of
Shreveport and Bossier City, Bossier
Parish.
 5. Request from T. L. James & Company, Inc., for (10)
renewal of permit to remove fill mater-
ial from the Mississippi River, left
side of Levee Station 2000+00 at Hero,
Plaquemines Parish.
 6. Rules and regulations governing seismic (11)
exploration in the State of Louisiana.
- MR. ALLEN ENSMINGER
7. Set dates for 1978 alligator season. (41)
- MR. JOE HERRING
8. Ratify dove season dates and bag limits. (62)



9. Lease renewal on Sabine Wildlife Management Area - Boise Southern. (64)
10. Lease renewal on Sabine Wildlife Management Area - International Paper Company. (64)
11. Lease renewal on Cities Service Wildlife Management Area - International Paper Company. (64)
12. Falconry rules and regulations pertaining to keeping of falcons. (72)

OTHER BUSINESS

13. Set date for August meeting. (75)

ADJOURNMENT (76)



CHAIRMAN DOYLE G. BERRY: Good morning, ladies and gentlemen. The first item on the agenda this morning is approval of the minutes of June 27. Can I have a motion?

MR. WILLE: I move.

THE CHAIRMAN: Moved by Mr. Wille. Do I have a second?

MR. RIGGS: Second.

THE CHAIRMAN: Seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

Who is taking Dr. St. Amant's -- Harry?

MR. HARRY SCHAFER: Mr. Chairman, we have five routine requests for renewals. The first one is a request from Sidney Diez for renewal of a permit expiring on the 31st of August to remove fill material from the Amite River three-quarters of a mile west of Port Vincent Bridge in Ascension Parish. We have checked this out and he has complied with all the rules and regulations in the



past and we would recommend that we give this renewal permit.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. WILLE: I move.

MR. RIGGS: Second.

THE CHAIRMAN: Moved by Mr. Wille, seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries does hereby grant permission to SIDNEY F. DIEZ to remove fill material from the Amite River, 3/4 miles west of the Port Vincent Bridge, in Ascension Parish, Louisiana, for a period of one year from his present permit expiring



August 31, 1978 to August 31, 1979, at a royalty of ten cents per cubic yard.

MR. SCHAFER: The next one is a request from the Mississippi River Materials, Inc., to renew a permit expiring on July 30, 1978, to remove sand and fill material from the Mississippi River in the vicinity of Mile 71 AHP between Miles 70.26 and 71.57 in Plaquemines Parish. They have complied in the past year to all our rules and regulations and I would recommend the renewal of this permit.

THE CHAIRMAN: Gentlemen, you have heard the recommendation.

MR. WILLE: I move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Wille and seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made

a part of the record.)

BE IT RESOLVED that the Louisiana Department of Wildlife and Fisheries does hereby grant permission to MISSISSIPPI RIVER MATERIALS INC. to remove sand and/or fill material from the Mississippi River in the vicinity of Mile 71.0 AHP between Miles 70.26 AHP and Mile 71.57 AHP, Plaquemines Parish, Louisiana, for a period of one year from expiration date of their present permit on July 30, 1978 to July 30, 1979, at a royalty rate of ten cents per cubic yard.

MR. SCHAFFER: We have a request from H & H Contracting Company for renewal of a permit to remove fill material from the Red River in the vicinity of Shreveport and Bossier City, in Bossier Parish, Louisiana. We have checked this out and they have complied with all the rules and regulations for the past year and I would recommend that this permit be renewed.

MR. WILLE: Harry, before I leave today can you get me a copy of what has been taken out?



MR. SCHAFER: I will try. Dr. St. Amant is not available until late this afternoon and if she can find it, I will certainly get you a copy.

MR. WILLE: I am just kind of curious because I would like to know where they are dredging. I have not seen any dredging going on.

MR. SCHAFER: Sure, I will get it for you.

THE CHAIRMAN: I hope they are doing a lot of dredging. We have to keep that river cleaned out.

MR. WILLE: I so move.

THE CHAIRMAN: Moved by Mr. Wille. Do I have a second?

MR. LUTTRELL: I second it.

THE CHAIRMAN: Seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the



resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Department of Wildlife and
Fisheries does hereby grant permission
to H & H CONTRACTING COMPANY to remove
fill material from the Red River in
the vicinity of Shreveport and Bossier
City, Bossier Parish, Louisiana, for a
period of one year from July 25, 1978
to July 25, 1979 at a royalty rate of
ten cents per cubic yard.

MR. SCHAFER: We have a request for
permit from T. L. James & Company for renewal of
a permit to remove fill material from the Missis-
sippi River on the left side of Levee Station
2000 at Hero in Plaquemines Parish. They have
complied with all our rules and regulations and I
would recommend a renewal of this permit.

THE CHAIRMAN: Do we have a motion?

MR. GILBERT: So move.

THE CHAIRMAN: Moved by Mr. Gilbert.

Second?



MR. LUTTRELL: I second.

THE CHAIRMAN: Seconded by Mr. Luttrell.
All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

BE IT RESOLVED that the
Louisiana Department of Wildlife and
Fisheries does hereby grant permission
to remove fill material from the
Mississippi River, left side at
Levee Station 2000+00 at Hero,
Plaquemines Parish, Louisiana, for
a period of one year from July 12,
1978 to July 12, 1979, at a royalty
rate of ten cents per cubic yard.

MR. SCHAFER: Mr. Chairman, the next
thing on the agenda is the rules and regulations
governing the seismic exploration in the State of



Louisiana. I had sent to you prior to this meeting copies of the rules and regulations, the changed rules and regulations, and I have given you a copy of the old rules and regulations. By comparing the two, you can see that there are very few changes in these rules and regulations. The two main changes are that we are requesting that we have control over all sources of energy in these seismic explorations, and the second change, the Seismic Agent may be with the crew, because we have 51 seismic crews operating now and our head count for the seismic section is 21, and we would like to be able to let these seismic crews continue to operate and we will send an agent out when we have them available, and maybe some of these agents will cover two and three of the crews that are working out in the field.

These are the principal changes in these regulations. We have been working with these regulations ever since the seismic crews started operating in the Louisiana fields, and a lot of these things are based on scientific research at the time when these things were first permitted.

We actually went out with the dynamite cages, with the oysters, fish and all in them, and put them at various distances from the explosives, and came up with these rules and regulations at that time, and we see no reason to change any of them at this time.

THE CHAIRMAN: Gentlemen, do we have any discussion?

MR. SCHAFFER: I understand that they have some people in the audience that might want to talk on this subject.

THE CHAIRMAN: Real good. Will you step forward, sir, and give your name and who you represent? While we are doing this, let me say that I failed to recognize one of our former Board members, a former Chairman of this Commission, Mr. A. J. Buquet. Glad to have you with us, A. J.

MR. WILLE: Stand up and take a bow, A. J.

MR. BUQUET: Thank you.

MR. PATRICK J. BUTLER: Good morning, Mr. Chairman and Members of the Board. My name is Pat Butler. I am with Texaco and Texaco was



pleased to have an opportunity to submit some written comments last week with regard to the proposed revisions to the regulations.

Our comments are set forth in a letter dated July 19, which was timely filed in accordance with the notice, and we would just at this time, you know, verbally resubmit the position of Texaco with regard to the revisions to Regulations 15 and 23, and we would be pleased to answer any questions that you all might have regarding the Texaco submission.

THE CHAIRMAN: No. 15, what is your objection?

MR. BUTLER: On 15, it is a revision. The revision is to add "other energy sources," and we thought that if we could have airguns and primer cord exempted from this particular provision where it is necessary to get written permission of a lessee to use those energy sources within 250 feet of the oyster bed, that there was a study conducted back in 1969-70 that concluded that an airgun did not result in any damage to an oyster reef or lease and we thought, you know, that the studies



would indicate that if you would use an airgun that we would not have to get the written permission of the involved lessee within 250 feet of a lease.

The other comment we had, if it would be possible, that we could readily secure verbal permission from a lessee to use these energy sources but sometimes it is a little bit more difficult for them to furnish this permission in writing. We get the verbal permission but there appears to be some sort of hesitancy I guess in the time involved in actually giving us a written permission.

MR. WILLE: You don't think you might get into some legal complications on a verbal?

MR. BUTLER: Well, we could, but you know, there would be sufficient witnesses. It would be better really to have the written permission but if you do have the witnesses I think you can substantiate that permission was actually given.

THE CHAIRMAN: What you are saying basically, when you go to a man to get something in writing, he has to have his lawyer look at it and when the lawyer gets through meddling with it, you



can't recognize what you started with in the first place. If that's a reflection on the lawyers, I am sorry! That's your objection to No. 15?

MR. BUTLER: Right, yes, sir.

THE CHAIRMAN: Harry, would you care to step back up and say anything on this before we go to the other one? Just wait a minute, if you would, Mr. Butler.

MR. SCHAFER: We did do a study on the airguns; in close vicinity of these airguns, there was no damage. We had no mortality to oysters and all, but we still would like to have control over these when they are over the reefs. We are not only concerned about the airguns when they are exploding but we are also concerned about the vehicle that has these airguns on it. If they are in shallow water, they certainly could go on there and do some damage by going aground or just by the engines turning up and going over these things, so we would certainly like to keep control over all the seismic operations, so that we can see that the natural resources are under our control and are protected.



As far as the written permission, I think most of the oyster people have asked us to put this in there to protect them, and this is why it is in there.

MR. WILLE: Is there really anything in there that you can't live with?

MR. BUTLER: We would prefer to have the change made.

MR. WILLE: Well, we have to look at both sides, I want you to understand.

MR. BUTLER: Right.

MR. WILLE: And you know that the oil companies' image has always been an image of being the big guys and the oystermen are the little guys, and this Commission -- I am speaking for myself personally now -- but as a member of this Commission, we are more responsible, and I realize we are in an energy shortage and I realize that we need the oil and we need the gas, but we have to be, number one, concerned with wildlife, and I think that in all probability, my own feelings are that if the oystermen want a written permission, then we have to go along with it. And if Harry recom-



mends that we don't go with the airguns, I have got to go along with that, too.

I think that we haven't put anything down here under seismic operations that the major oil companies cannot live with. I don't think it is going to cost them any extra money. It might cost them a little bit of time, and I know time is money, too, and I think that this is a good step forward because we have in the past had some leases that were abused by oil companies. I am not pointing any finger or directing that to anybody, but there have been some cases in the past where they have been abused, even though the seismic regulations were in effect. It is so bad that an oyster lease is sitting there and just running a boat over it if it is a shallow reef can ruin the whole bed. We know that, and this Commission primarily is interested in the wildlife. We have got to take that kind of stand. I want you to understand that.

Now you can go higher than us, you can go to the legislature and you have got people up there that know what they are doing, I am sure, that can go the legislature and get it done, but that is my



own personal feeling, that is not the Commission's feeling.

MR. BUTLER: I appreciate that. Of course, I think the oil industry and Texaco are very concerned about the environment and wildlife and fisheries also. We also appreciate the fine job that this Department has done over the years and I realize that you have to look at it from both angles. It is our obligation to present the position that we think would be equitable.

MR. RIGGS: On that No. 15 one more time, what was your request on that thing?

MR. BUTLER: The change now is to include in addition to explosives "other energy sources," and we were hoping that excluded from that would be the airgun and primer cord sources, that we would not have to get the written permission from the lessee if we would use a primer cord or airgun.

Secondly, it presently requires that we get written permission. We were hoping that verbal permission would be sufficient.

THE CHAIRMAN: Does anybody else on the Commission have any comments on that?



MR. WILLE: No, sir. I just think that we ought to put it up for a vote now, myself. Or Mr. Buquet, come on up to the mike, if you can, A. J.

MR. A. J. BUQUET: Mr. Chairman and Members of the Commission, my name is A. J. Buquet and the first thing I can say here is, "Live and learn." Thank God. I am going to ask Mr. Schafer, does the Louisiana Oyster Dealers and Growers Association know of this? Do they have copies of the proposed changes that you are discussing?

MR. SCHAFER: No, they don't.

MR. BUQUET: I would first recommend that the oyster industry be given copies of these changes and given an opportunity to comment on them just as other people are doing here now. Therefore, my question to you gentlemen is that you postpone this action since it has taken me strictly by surprise. At the same time I am going to make a public statement. Laws were made to be violated and there is no such thing as any rules that you have in this Department that have been violated more than the rules that you now have by



the seismic people. There is no such thing as anything violated more. But I am very happy that the Texas Company now is very concerned about the environment when it comes to the oyster industry. I am very happy to hear that.

So, gentlemen, please put this off until our industry has had an opportunity to look at it as well.

Thank you very much, Mr. Chairman.

THE CHAIRMAN: Thank you, A. J. Harry, isn't this essentially the same rules and regulations we have had for some time?

MR. SCHAFFER: These are essentially the same except for those two minor changes in there. We are trying to cover all energy sources in the seismic operation and, of course, about the agent may be there. Essentially everything else is the same that we have been working under all this while, and this thing has been advertised. I believe we advertised this about three months ago.

MR. WILLE: Is this going to affect us any, Pie, by postponing it until next month? All right, I would like to make a motion, Mr. Chairman,



that we postpone it and, Harry, I would like to give you the responsibility of making sure that every oysterman gets a copy or the Oyster Growers Association for dissemination to the oyster people so they can read it over and have them back here at the next meeting, invite them back to the next meeting to make their comments on it. That is what my motion would be, Mr. Chairman.

THE CHAIRMAN: Gentlemen, you have heard Mr. Wille's motion. Do I have a second to the motion?

(No response)

My understanding is we will go ahead and get it passed this meeting then. I don't have a second.

MR. WILLE: Does anybody want to amend the motion?

MR. GILBERT: Mr. Chairman, I see nothing wrong with waiting 30 days to pass these unless there is something here that you feel is essential that needs to be done today. Is there something that you can tell me must be done today?

MR. WILLE: That is what I am saying,



Sonny. I think the oystermen should have an opportunity.

MR. GILBERT: Of course, I think the oyster people, if it has been in the register for 90 days, they should have been on top of that. They knew that we have had these under discussion, have been preparing them for 90 days.

MR. LUTTRELL: Mr. Chairman, I would like to ask A. J. Buquet a question if he would come back. A. J., we were given a copy of the old regulations that you have been living under for a long time. Have those been all right?

MR. BUQUET: They would be all right if they would be enforced, but you misunderstood my statement. They have not been enforced. Now when you are talking about giving them permission where they can go and do their seismic work with or without an agent, well, frankly, you can forget the agents, just skip it all.

MR. LUTTRELL: What I am getting at, A.J., was not the question of whether they were enforced or not. Under these, if they were O. K., then we only added two small points to be considered. I

want to know whether I am going to reconsider all of this thing or just those two points. Of course, enforcement is true with speed on the highway or anything else, but what I am asking, you have been living under these for a long time.

MR. BUQUET: Yes, sir, we have been living with them.

MR. LUTTRELL: You have been living with them. All right, then, all I have to worry about is those two small changes.

MR. WILLE: All right, I have got a motion on the floor, Mr. Chairman, and I have got a second from Mr. Gilbert.

MR. GILBERT: I will second the motion that we withhold action for 30 days and act on these regulations at the August meeting.

THE CHAIRMAN: Gentlemen, you have heard the motion. I have a second. All in favor say aye.

MR. WILLE: Aye.

MR. GILBERT: Aye.

THE CHAIRMAN: Mr. Wille is in favor of it. Mr. Gilbert is in favor of it. All opposed say aye.



MR. LUTTRELL: Nay.

MR. RIGGS: Nay.

THE CHAIRMAN: Two ayes and two nays.

I am going to vote that we get it done today and get through with it. I don't see any reason -- there is very little change in it from what I saw the last time, what we have had in the past, only these two regulations, No. 15 and No. 23.

MR. BUTLER: The only comment we would have on Article 23 or Regulation 23, it provides for a \$1,500 a month fee for each seismic agent assigned to a crew, and we would just suggest that maybe it would be better if it could be allocated on a daily basis, say \$50 a day. That would be our suggestion on Regulation 23.

THE CHAIRMAN: Gentlemen, do you have any discussion on that? Harry, what is your comment on that, on 23?

MR. SCHAFER: I think it is going to cost more money to administer something like that. As you know, about two years ago we were collecting \$750 and we went about \$300,000 in the hole over a period of about four years. We have raised this



thing now where we are doing pretty good now. We are making expenses and I don't think we can go any less than that. If an agent is assigned to a crew for less than two weeks, it is only \$750. They don't have to pay the whole \$1,500. If it is over the two-week period, over halfway during the month, then they pay the \$1,500, so I would not recommend that that be changed.

THE CHAIRMAN: Harry, let me say this. I have to take you to task on that. I am in business and if I hire a man, I am going to pay him for the days he works and not for the days he doesn't work, and I don't understand why we can't bill a man -- when you go to the grocery store, they are going to charge you for every egg you get, and if you don't take them out, they are not going to charge you for them. These people I think have a very valid point. They don't mind paying for what they get. They don't mind paying them \$50 a day but if they use a man 16 days, they don't want to pay for the whole 30 days. The 14 days go to somebody else. I think that is a very reasonable request.



Put yourself in their shoes. I know overall we think maybe it would be best for us, but you have got to be fair about it.

MR. SCHAFER: But again they have got to put themselves in our shoes that we have to pay these people whether they are assigned to that crew or not. They are under civil service. We have to pay them leave, we have to pay them their salary, and so this is money that comes out of the state's budget no matter what they do.

MR. LUTTRELL: Mr. Chairman, let me express a thought there. In an operation of this sort there is more involved than just walking out Monday morning and working all day Monday and pay \$50 for it. There are days of preparation, days of locating your men, days of instruction and so forth. I don't believe \$50 a day would be a good fee. I go along with Harry because there is more involved than just that. I just can't go along with that.

MR. GILBERT: Harry, didn't you say that we had lost some \$300,000? What was your statement?

MR. SCHAFER: Up until two years ago we

were only charging \$750 for the month's period and we had gotten in the hole about \$300,000. That's when we came to you and had it increased to \$1,500, and this is a more realistic figure that we now meet our expenses and we are not going into the hole any longer.

MR. GILBERT: Do you have figures showing that you are not going in the hole, or is it costing us money?

MR. SCHAFER: No, it is not costing us money now. We have probably made up our \$300,000. We might have made up our \$300,000 in the last two years since this increase.

THE CHAIRMAN: Let me ask you this, Harry. Would it be a reasonable situation if we would either go to \$1,500 a month or \$60 a day instead of \$50? Say they work part of a month, 16 days or 17 days, it would still be a more equitable situation. If they didn't use a man a full month, that would give them a better break on it. I just think it's wrong to tell them a man costs you \$1,500 a month and you turn around and work the man 16 days, all you need him, and you have got to

pay those 14 days.

MR. SCHAFER: Mr. Chairman, \$60 a day, this seismic agent works 10 hours a day. That is \$6 an hour we are getting from an exploration company for this man's time. That doesn't even pay his salary.

THE CHAIRMAN: \$60 a day, which is \$10 a day more than you recommended here. In other words, work it out with the man, use the man enough, say, in three weeks, let three weeks be the monthly deal, but if you use the man 16 or 17 days, I just don't think it is right to ask them to pay for a full month.

MR. SCHAFER: Well, we have still got the man on the payroll.

THE CHAIRMAN: Won't he go on somebody else's payroll the next day? Won't you probably put him to work for somebody else the next day?

MR. SCHAFER: Yes, there is a possibility that we could ship him to another crew the following day. Usually there is travel time involved and all.

MR. RIGGS: Well, in the briefing you

gave us, you said you had approximately 21 agents and you had about 52 operating seismic crews, so according to that they would be working every day.

MR. SCHAFER: That is under the present conditions, since there has been an increase in the number of crews in Louisiana. Up until that time, we had people who were sitting around, waiting to be assigned.

THE CHAIRMAN: I can understand your plight there, Harry. Of course, you said we had made up the \$300,000 deficit, so apparently we are gaining on the thing, and I think it was our intention to break even on the thing, not to gain on it. Am I right about that or wrong?

MR. SCHAFER: Well, this is just figuring the money that is paid out on this section. This does not include the administration, the overhead or anything else. I think when you figure the cost of the whole thing, the overhead and all, for this section, I don't think \$1,500 a month is an excessive amount.

MR. LUTTRELL: I have to agree with the Chairman. \$1,500 a month is all right but \$60 a

day for every day less than a month would be all right also. I couldn't go with \$50 a day. That will take care of any unforeseen expenses, the extra \$10 a day will take care of any unforeseen expenses, or the fact that the man might have to set aside a couple of days. That would take care of it. I would have to go along with it.

MR. GILBERT: Harry, you mentioned that it would be a tremendous administrative expense and there may be another way if the Commission does want to possibly lower this. Would it be better on your department to drop it to \$1,250 or \$1,200 or \$1,300, rather than trying to keep up with it by the day? You did say that would be a tremendous administrative expense? Or did you?

MR. SCHAFER: I didn't say a tremendous expense. It is going to take some extra book work in order to keep up with the number of days that they are assigned with a crew.

THE CHAIRMAN: Well, you have to keep a man's time, you have book work, whether he works one day or one month. You have still got to have book work to see how long the man worked out there.



You might have a little bit of additional book work but I can't envision a lot of additional book work. We send out crews every day, a lot of different places, but a man has got to have a work ticket every day, regardless of whether he works for the same company or works somewhere else. You have got to have a time ticket.

MR. SCHAFER: But you have got to bill each one of these different companies for these men. There will be a little extra work.

THE CHAIRMAN: Well, let me tell you something, Harry. If a man works 15 days for Gulf and then went over and worked, say, five days for Exxon and then five days for Texaco, you have still got the different billings. You might be able to gut him out of more money but you have still got the same billing problem, as I see it. If I am wrong, somebody please correct me on that. That man is going to work somewhere as long as we are busy, and when he is working, you have to bill who he works for. I think we are comparing eggs to apples and we aren't getting down to the facts of the thing.

MR. RIGGS: Mr. Chairman, would a motion be in order on this thing?

THE CHAIRMAN: Yes, sir, it would.

MR. RIGGS: I would like to make a motion that we amend Section 15 to "written or oral permission" and amend 23 from \$1,500 a month to \$60 per day, and then adopt the rules and regulations other than those two changes.

THE CHAIRMAN: You are saying \$60 a day for anything less than the full month.

MR. WILLE: Are we losing sight of what this Commission is? The oystermen asked for written permission. Now, dammit, if they ask for written permission, they ought to be able to get it. We are supposed to be on their side. We are supposed to be protecting these oystermen.

MR. GILBERT: Mr. Chairman, I will ask for a division of the question. If he is going to have one motion that affects two different paragraphs, I would rather vote on them separately. Would you do that, Charlie?

MR. RIGGS: That's fine. Well, I don't think, in other words, "written or oral permission"



would affect it one way or the other. I don't think they would go in there without permission, you know.

THE CHAIRMAN: Of course, they have got remedies in the courts when they do this kind of thing.

MR. RIGGS: They have got remedies, that is right. So I would take No. 15 and amend it to be "written or oral permission," would be my first motion.

THE CHAIRMAN: Do I have a second to that motion?

MR. LUTTRELL: Second.

THE CHAIRMAN: Mr. Luttrell seconds the motion. Any more discussion on it?

MR. GILBERT: I would just like to say this, that that is something we need to leave as it is written. Verbal permission, I guess it is legal; I am not an attorney; but written permission will stand up anywhere. Verbal permission, I just don't believe that would do the oyster fishermen any justice nor do justice to the oil companies, so personally I would be opposed to changing that



portion of it.

THE CHAIRMAN: The Chairman has got to reread this thing. Excuse me a minute.

Is there any more discussion?

(No response)

The Chair calls for a vote. Mr. Luttrell.

MR. LUTTRELL: Aye.

THE CHAIRMAN: Mr. Riggs.

MR. RIGGS: Aye.

THE CHAIRMAN: Mr. Wille.

MR. WILLE: Nay.

THE CHAIRMAN: Mr. Gilbert.

MR. GILBERT: No.

THE CHAIRMAN: This is the last five-member Board meeting I am coming to! (Laughter)

The Chairman votes yea. So ordered.

Let's take up No. 23, gentlemen.

MR. SCHAFER: Mr. Chairman, one more statement before you vote on that one. How about making that \$75 a day. Then a full month would leave us at \$1,500 that we get now.

MR. GILBERT: 75 a day times 30 equals 1,500?



MR. SCHAFFER: Well, it's 20 working days.

MR. GILBERT: You all stop on Saturday and Sunday out there?

MR. SCHAFFER: The agents work five days a week. They might work through the weekend but then you have to give them that time off.

THE CHAIRMAN: Do you gentlemen from Texaco have any comments, whether they work with you all seven days or five days?

MR. BUTLER: It is my understanding that the agent is assigned to the crew and whenever the Texaco or the seismic company is out there, the agent should be with them. That would be my understanding, I have a man here from the geophysical department, that sometimes the crews do work seven days a week, a seven-day week.

MR. SCHAFFER: When an agent is assigned to a crew and they work the seven days, our agent works with them. They do work on the weekends, but I say when their crew gets off, our agent gets off, too. Under Civil Service rules we have to give this man -- they work a 50-hour week, a 10-hour day, 50-hour week, so we have to give them their



time off. The alternative is to shut the crew down when our crew gets off. That is the alternative.

THE CHAIRMAN: Does the Chair have a motion on No. 23? I need a motion on No. 23, whether we are going to leave it like it is or go to \$60 a day or \$75 a day.

MR. RIGGS: This may not pass, but I would offer a motion, in other words, that we change the fee to \$75 a day rather than \$1,500 a month.

MR. LUTTRELL: Mr. Chairman, just for clarification, Mr. Riggs' original motion was \$1,500 a month or \$60 per day. Now if he is changing it to \$75, you are going to have to amend the original motion.

MR. RIGGS: I rescind that.

MR. LUTTRELL: You are moving to go \$1,500 per month or \$75 per day?

MR. RIGGS: No, sir, delete the \$1,500 per month and just \$75 a day.

MR. LUTTRELL: Come at me again.

THE CHAIRMAN: I think we should leave it at \$1,500 if they work a month.

MR. RIGGS: Right, if they work a month.



That is correct. Or \$75 a day.

THE CHAIRMAN: If a man works 10 days, they pay \$750.

MR. LUTTRELL: Second.

THE CHAIRMAN: I have a motion and a second, gentlemen. Did you hear the motion?

MR. GILBERT: What is the motion again, Mr. Chairman?

THE CHAIRMAN: \$1,500 a month or \$75 a day. I think the \$75 is a little high, but we discussed that a while ago. Any further discussion on No. 23?

(No response)

Mr. Luttrell, how do you vote?

MR. LUTTRELL: Yea.

THE CHAIRMAN: Mr. Riggs?

MR. RIGGS: Yea.

THE CHAIRMAN: Mr. Wille?

MR. WILLE: Nay.

MR. GILBERT: Yes.

THE CHAIRMAN: Thank God! The motion passes, three to one. Let the record reflect the Chair did abstain this time.



Let's get on with the business at hand.

Mr. Herring.

MR. WILLE: I would like to make one more comment, Mr. Chairman. Getting back to this written permission, I think that if the oystermen requested that, I know we made a motion on it already, but I think the Commission has lost sight of our duty as a Commission to the oystermen. We are supposed to be protecting them and I think that a written permission would be a means of protection for the oystermen. Verbal permission, you could walk up to anybody on any lease and they give you permission to go into that lease, that doesn't necessarily mean that they are the owner, and whether you have got witnesses or not, it doesn't make any difference.

It is all right to say that they can settle it in the courts but the oil companies have got plenty of lawyers, they have got plenty of money to go to court. The oystermen do not.

THE CHAIRMAN: Don't you ever think that there aren't plenty of lawyers sitting out there hungry, who will take their case and go with it



for a piece of the action.

MR. WILLE: Well, I just want you to know my feelings on it. I think we made a bad mistake when we didn't end up protecting the oystermen.

THE CHAIRMAN: We now need a motion on the regulations. The Governor will sign the declaration. We have changed a couple of paragraphs. We need a motion on the full regulations.

MR. LUTTRELL: Mr. Chairman, I would like to move the adopt the new seismic regulations as amended.

MR. RIGGS: Second.

THE CHAIRMAN: We have a motion and a second. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Unanimous. So ordered.

(A copy of the Regulations Governing Seismic Exploration in the State of Louisiana, as adopted above, is appended hereto and made a part hereof.)



THE CHAIRMAN: Mr. Ensminger. And I might say at this time the Commission has thus far been refused the right to have an alligator season across the Louisiana Gulf Coast parishes. We do have a season for the three parishes we have always had. As I have said many times, it is not the alligator, it's us coonasses on the endangered species list now. The alligators have eaten up the marshes, they have eaten up the animals in the marshes and we are afraid, particularly down in Terrebonne Parish and St. Mary Parish where I am more familiar with it, that because of the shortage of food, they are going to start attacking people. In fact, they have done it in some instances already. We are getting them out of people's yards and flower beds in town where we have never seen them before. They are wrecking cars on Highway 90 down around Avondale now.

We have been every route we know to go I guess to try to get an alligator season in all the coastal parishes which are so badly in need. I have lined up a meeting in Washington tomorrow with some of the Interior bureaucrats and hopefully



Mr. Enslinger and I will make some headway with them then. If we don't, we are going to raise some hell about something else. Go ahead, Allen.

MR. ENSLINGER: Thank you, Mr. Chairman. You are exactly right. We have gone the appropriate route, according to the Endangered Species Act, which requires that the Governor present an official petition to delist an endangered species. Of course, Governor Edwards wrote a letter two years ago today, requesting that the American alligator be delisted in all of our coastal parishes, and at the present time we have not received approval on this request.

The only areas in Louisiana that are delisted are Cameron, Calcasieu and Vermilion. This is the only portion of the state that we do have the authority to establish a controlled harvest of these large predators and, as Mr. Berry pointed out, the alligator is a very dangerous animal. Certainly hanging around a recreational camp or homesite, whether it is in the marsh areas or inland or North Louisiana, he becomes a very imminent threat during the summer months to pets



and people around these facilities.

As it stands now, we do not have the authority to remove these surplus animals unless they are an imminent threat to life and property, and we feel that this responsibility is not being lived up to by the U. S. Fish and Wildlife Service since they do not elect to attend to these nuisance alligators, and the burden of this is placed on our Department, and it is a very severe burden on our Game Division and Refuge Division annual budget. Hopefully this trip to Washington will have some input into getting these people to at least delist these coastal parishes so we can move forward with our alligator management program.

Our feeling is that the alligator is not endangered in any portion of Louisiana, that actually the alligator habitat in North Louisiana probably is carrying as good a population of alligators as the habitat will support at this time. So, certainly we need to move forward on a very vigorous alligator control program in our state.

The matter before you today is the setting of the season in those three parishes where



we have the authority. Our technicians annually run alligator inventories along the entire coast and Ted Joanen and Greg Linscomb's recent inventory indicates that there is about 100,000 alligators in the three parishes where we can set a season, and they recommend a season be established for September 5 through 30 of 1978.

THE CHAIRMAN: Allen, let me interrupt you at this point. Should we be successful in getting an alligator season this year in the other coastal parishes, should it run concurrent with this same season? Do we need a motion to establish that now? Of course, we would make it a tentative thing, in the event we are successful.

MR. ENSMINGER: I think that this would be appropriate to go ahead, you know, and make it tentative. Under the guidelines of the federal government, I seriously doubt that they could legally establish the authority to the Commission to establish the season this fall. They have to advertise these things in the Federal Register and what-have-you. But if you would like to take action, based on the possibility of them granting

this, I think this would be appropriate. Of course, we would be able to gear up to conduct the season in some areas. Of course, we have to attach a tag to every alligator skin taken in the wild, and it would present some administrative problems in securing a sufficient number of tags for additional areas, but certainly we could come up with quotas and make some recommendations for harvest, at least on a limited basis in some of the other portions of our state.

THE CHAIRMAN: I would appreciate if you would in your recommendations include that.

MR. ENSMINGER: Of course, we could say that the season is established in those three parishes and that if we gain approval for establishment of the season in other coastal parishes, that they would be included in the 1978 season.

THE CHAIRMAN: You are making that recommendation now?

MR. ENSMINGER: Yes, I would.

THE CHAIRMAN: Mr. Gilbert.

MR. GILBERT: I would like to ask one point for clarification. Allen, you mentioned that

the Governor had written a letter some two years ago, requesting that the alligator be taken off the endangered list in Louisiana, and you said he had not until this time gotten that permission. If I am correct, from what we heard yesterday, Governor Edwards wrote the Department of Interior in May of '76 and at this time has not gotten a reply to that letter. Is that not correct?

MR. ENSMINGER: Let me clarify this thing. We made an official request to the Department of the Interior on July 26, 1976, which is exactly two years ago today. In May of 1978, he wrote them and asked them why they had not taken this action and as of this date we have not received a reply to that.

Through phone calls made a year ago, we were finally able to prod them into responding to his July, 1976 letter by requesting additional data be presented to them, substantiating his request. Our technicians did provide that data and we have still not received a final determination as to whether they are going to approve the request or disapprove it.



MR. GILBERT: The point I was making is that he has actually not received an answer to his letter that he wrote in July of '76.

MR. ENSMINGER: This is correct. He received a reply requesting additional data which was provided, and as of this time we have not received a response as to whether they will delist it or will not. This is exactly right. Certainly I think that that is ample time for the Office of Endangered Species to have either rejected his request or acted upon it or given us some indication as to why they were not responding to the thing.

THE CHAIRMAN: Sonny, if we can't get any cooperation tomorrow from those people, I am in favor of kidnapping about three of them and letting them spend a night in the marsh by themselves in different areas.

MR. ENSMINGER: I think an appropriate place would be the Sabine Refuge over there in Southwest Louisiana. I am sure they have got plenty of 'gators on their own refuge to take care of that.



THE CHAIRMAN: Those 'gators won't eat everything, just certain things, and I am not sure they would eat those guys!

MR. WILLE: Ship them to Washington!

THE CHAIRMAN: I would like to take about a 200-pound one and release it on the Capitol steps and let the environmentalists enjoy it. They have just put three out of the four species of rattlesnakes on the endangered species list in Colorado now. I don't know how you are going to tell them apart. I am not going to pick up one and look at him.

Gentlemen, we have a recommendation.

MR. WILLE: I move.

MR. RIGGS: Second.

THE CHAIRMAN: Moved by Mr. Wille and seconded by Mr. Riggs. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made



a part of the record.)

WHEREAS, Louisiana's efforts to manage the resident population of alligators for the past 18 years have substantially increased the total population, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has successfully demonstrated that a periodic commercial harvest, based upon comprehensive population inventories, can be closely controlled, and

WHEREAS, data collected during the 1972, 1973, 1975, 1976 and 1977 seasons and from aerial inventory during July, 1978, reflects that the seasons were beneficial in all respects, and

WHEREAS, population levels in Cameron, Vermilion and Calcasieu Parishes now warrant the establishment and continuation of a season



in this region of the state, and

WHEREAS, it has been determined from the past five seasons that the system developed for conducting the harvest of animals through a rigidly controlled set of regulations worked out extremely well and no evidence was found that the opening of the season encouraged illegal killing of these reptiles, and since alligators are a renewable resource and should be managed on a sustained yield basis to provide economic incentive for preserving marshlands, and

WHEREAS, sufficient population estimates in other portions of the coastal marshes of Louisiana do support a controlled harvest of surplus animals, and

WHEREAS, when the authority is granted to the State of Louisiana to establish a season in these areas an alligator season will be permitted,



NOW, THEREFORE, BE IT RESOLVED that an alligator season be hereby established in accordance with the following regulations. No exceptions of these procedures will be permitted, and anyone taking alligators contrary to these regulations will be charged in accordance with the Louisiana Revised Statutes and/or Endangered Species Act of 1973:

1. Open area - Parishes of Calcasieu, Cameron and Vermilion. Coastal marshes and fringe swamp areas including converted marshland. An estimated 100,000 alligators are present in this area outside the refuges. No more than eight percent of this population may be taken during the season.
2. Harvest season - The open season shall run for a 26-day period beginning on September 5, 1978 and continue through September 30,



1978. Size - No alligators under four feet in length may be taken.

3. Harvest Methods - Alligators may be taken only during the daylight hours, between one-half hour before official sunrise to one-half hour after sunset. Special instructions will be issued to the holder of alligator hunter licenses shortly before the opening of the season, describing detailed methods regarding the skinning of alligators. Skins processed contrary to the specific requirements of the Department will be considered illegal. Pole hunting is prohibited to protect nesting female population.
4. Licenses - An alligator hunter must have a valid commercial alligator hunter license to take, transport or sell alligators or their skins. The fee for the resident license is \$25.00 per year and for the



non-resident \$500.00. These licenses are non-transferable. In order to obtain a resident license, the hunter must have resided in Louisiana for one year preceding the season. He must complete application form provided by the Department and furnish proof that he owns the land or has an agreement with the landowner to hunt alligators on the specified property. Information as to the location and acreage of the property must be provided. Applications must be submitted between the dates August 1 and September 5, 1978. The alligator hunter license will be issued only after the hunter has satisfactorily complied with the above requirements. A fur buyer license or fur dealer license is required for purchasing

and handling raw alligator skins in Louisiana. Persons or firms entering alligators in interstate commerce in the course of a commercial activity must be licensed in accordance with State and Federal Regulations.

5. Tagging - In addition to a valid commercial alligator hunting license, the hunter must also obtain from the Department, and have in his possession while hunting, official tags which must be firmly attached to each alligator skin immediately upon taking. Numbered tags will be issued to license holders for a sum of \$5.00. The tags must be attached in the last six inches of the tail. The tag must remain attached to the skin until finally processed by the fabricator. It shall be illegal to possess alligator skins



in Louisiana without valid official tags attached. Official alligator tags will be issued only to alligator hunters and farmers and only to those who have authorized applications. The number of tags will be issued on the basis of the area and quality of the habitat, and the rate per acre will be fixed based on extensive population estimates. Tags will be issued for alligator habitat only, based on final decision of the technician. No more than this fixed number of tags will be issued. Each official tag will bear a characteristic number and a duplicate tab, and the tag numbers issued to each hunter will be recorded. Unused tags must be returned to the Department. Lost or stolen tags will not be replaced, but must be reported. Tags can be



used only on the lands applied for and approved on the application.

6. Alligator Farmers and Breeders - Licensed alligator farmers or breeders will be issued permits to kill and skin their alligators but must follow the same rules and regulations which apply to wild alligators. No alligator or breeding farms may be killed without such a permit. Tagging validation is required on skins taken.
7. Harvest Rates - Maximum of eight percent of overall population in open season may be taken. Tags will be issued on the following basis: Cameron and Calcasieu Parishes - Brackish Marsh, 1 per 300 acres; Intermediate Marsh, 1 per 125 acres; Fresh Marsh, 1 per 125 acres; Pump-Off Districts, regardless of marsh type, 1 per



500 acres. Vermilion Parish -
Intermediate Marsh, 1 per 100
acres; Fresh, 1 per 400 acres;
Brackish Marsh, 1 per 150 acres;
Pump-off District, 1 per 500 acres.

8. Validation of Alligator Skins - All
alligator skins taken during the
experimental alligator season
shall be checked and a second tag
fixed by personnel of the Louisiana
Department of Wildlife and Fisheries
at the headquarters of the Rocke-
feller Refuge on October 2, 3, 4,
1978. The holders of alligator
hunting licenses must bring their
skins to Rockefeller for validation
on one of these three dates between
the hours of 8 A.M. and 5 P.M.
Special skinning instructions will
be verified and any skins not pre-
pared according to instructions issued
in advance of season will be con-
sidered illegal. Unused tags will



be returned at this time. Validation tags must remain attached to the skin in Louisiana.

9. Shipment - All raw alligator skins shipped out-of-state must bear official shipping tags provided by the Department. Forms provided must be filled out completely and returned to the Department within 15 days following the close of the season. Raw alligator skins transported in the course of a commercial activity, shipped or transported within the state, must be labeled with tags issued by the Department describing the number of skins, the consignor, shipping point, consignee and destination. All parts of alligators, other than the raw skins, shipped or transported within or out of the state, must be clearly labeled with the license number of the alligator hunter and the number



official tag which was attached to the alligator skin, and

BE IT FURTHER RESOLVED that the administrative responsibility for conducting this season shall rest with J. Burton Angelle, Secretary of the Louisiana Department of Wildlife and Fisheries.

MR. RIGGS: Mr. Chairman, I wanted Allen to comment on the discussion we had earlier about requesting the Department of Interior to have a special season on the Sabine Refuge and Lacassine Refuge on alligators.

MR. ENSMINGER: Mr. Riggs, this would certainly in my opinion be appropriate at this time for you gentlemen to consider a resolution requesting that the U. S. Fish and Wildlife Service establish a harvest on their own properties in Cameron Parish. As you are aware and I am sure most of the public, they have two extensive wildlife refuges in Cameron Parish, a portion of the thing that is delisted, and there is no reason why they could not establish a harvest of surplus



animals off that area. The adjoining landowners, who are primarily marshland managers, managing their properties for fish and wildlife purposes and trapping, are suffering as a result of these surplus animals going over onto their property. The U. S. Fish and Wildlife Service had a season on their property on Sabine Refuge in Cameron Parish when the rest of the parish was closed back in the 1960's, and certainly we see no reason why they couldn't have a harvest of their own 'gators on their properties in those two parishes. I think it would be well for our Commission to request a position or a statement as to why they are not taking some of these surplus animals off their lands.

THE CHAIRMAN: The Chairman would like to offer a resolution and let the Commission pass on it, and if that is your resolution, fine, then we will get it typed up today and we will take it with us when we leave.

MR. ENSMINGER: I would recommend that one be adopted.

MR. GILBERT: I so move, Mr. Chairman.



MR. LUTTRELL: I second.

THE CHAIRMAN: Moved by Mr. Gilbert and seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, the American alligator has been delisted in the parishes of Cameron, Calcasieu and Vermilion, and

WHEREAS, population of these animals is sufficient to warrant the establishment of annual control harvest of surplus animals, and

WHEREAS, the U. S. Fish and Wildlife Service, Department of Interior, manages large acreages of marshland on the Sabine and Lacassine Refuges within the delisted area, and

WHEREAS, each of these areas



supports very high populations of alligators, and

WHEREAS, these animals move onto adjacent privately owned marshlands, and

WHEREAS, the normal food habitat of the American alligator includes large quantities of furbearing animals,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby request that the U. S. Fish and Wildlife Service apply for quotas and tags and establish a vigorous alligator harvest program compatible with the program established on private lands adjacent to their properties on the Sabine and Lacassine Refuges, Cameron Parish, Louisiana, and

BE IT FURTHER RESOLVED that this program be initiated during the September, 1978 alligator season.

THE CHAIRMAN: Mr. Herring.

MR. HERRING: Thank you, Mr. Chairman.



Last month at the regular meeting of the Commission we set the dove and all migratory species except the regular duck season, contingent upon the rules and regulations and the framework as set forth by the Fish and Wildlife Service. We have received these in now and the dates that we did set are in compliance with this, so I would recommend to the Commission now that we ratify the dates we set last month pertaining to these migratory species. That is everything, including teal, except for the regular waterfowl season. You have copies of that as set last month. We have put out news releases and the press has also been furnished a new copy of it, as you have there, so I would recommend to the Commission that we ratify these at this time.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Do I have a motion?

MR. LUTTRELL: I so move.

THE CHAIRMAN: Moved by Mr. Luttrell.

MR. RIGGS: Second.

THE CHAIRMAN: Seconded by Mr. Riggs.

All in favor say aye.



IN UNISON: Aye.

THE CHAIRMAN: Hearing none opposed, so ordered.

(The full text of the resolution is here made a part of the record.)

WHEREAS, at the last meeting of the Louisiana Wildlife and Fisheries Commission all migratory bird seasons with the exception of the regular waterfowl season were set, and

WHEREAS, these dates as set were contingent upon the federal framework as presented to the states, and

WHEREAS, this framework has been given to the states and all seasons lie within this framework,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission ratifies and accepts the migratory bird seasons as set at the last regular meeting of the Commission.

MR. HERRING: Mr. Chairman, the next



three items are lease renewals on wildlife management areas. I will just take them up as a group here. One is the lease renewal on Sabine Wildlife Management Area, Boise Southern Company, which takes in 7,255.44 acres more or less on that area. The next one is a lease agreement renewal from International Paper Company, also on our Sabine Wildlife Management Area, which takes in 4,072.2 acres more or less. The third lease is from International Paper Company who owns land on our Cities Service Wildlife Management Area in Ouachita Parish, and it takes in 1,254.16 acres more or less.

I would recommend to the Commission that we accept all of these. They are free of charge. This is land given to us free of charge under lease agreement for hunting and fishing purposes and other types of recreation on our wildlife management areas. I think these companies should be complimented for their efforts in helping to further our wildlife management area program in the state. We have probably half of our land in wildlife management areas, in fact, a little better



than half of it, leased free of charge from companies and private individuals who own large tracts of land, so I would recommend to the Commission then that we accept all these lease renewals as part of our wildlife management area program, and also in our correspondence in sending these back that we compliment these companies for their efforts in working with us on this.

THE CHAIRMAN: I assume we need a motion for 9, 10 and 11 separately, is that right, Joe?

MR. HERRING: Sir?

THE CHAIRMAN: We need a motion for each one of those.

MR. HERRING: Right. We can take first Boise Southern on Sabine Wildlife Management Area for 7,255.44 acres.

THE CHAIRMAN: Does the Chair have a motion?

MR. RIGGS: I so move.

MR. LUTTRELL: Second.

THE CHAIRMAN: Moved by Mr. Riggs, seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.



THE CHAIRMAN: Any opposed?

(No response)

So ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Commission has
received a lease renewal from Boise
Southern Company covering 7,255.44
acres of land in Sabine Wildlife Man-
agement Area, Sabine Parish, and

WHEREAS, this renewal is
for a five-year period beginning
July 1, 1978 and ending July 1, 1983,
and

WHEREAS, this agreement
has the same stipulations as previous
agreements and is granted to the Com-
mission free of charge,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wildlife and Fish-
eries Commission accepts this land as
part of the Commission's Wildlife



Management Area system and compliments
Boise Southern Company for its services
to the sportsmen of our state.

MR. HERRING: The next one would be
International Paper Company's land on Sabine Wild-
life Management Area in Sabine Parish, 4,072.2
acres more or less.

MR. WILLE: I so move.

THE CHAIRMAN: Moved by Mr. Wille. Do
I have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: Seconded by Mr. Luttrell.
All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Hearing none in opposition,
so ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Commission has
received a lease renewal from Inter-
national Paper Company covering 4,072.2
acres of land in Sabine Wildlife Management

Area, Sabine Parish, and

WHEREAS, this renewal is for a five-year period beginning July 2, 1978 and ending on July 1, 1983, and

WHEREAS, this agreement has the same stipulations as previous agreements and is granted to the Commission free of charge,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission accepts this land as part of the Commission's Wildlife Management Area system and compliments International Paper Company for its service to the sportsmen of our state.

MR. HERRING: The third will be International Paper Company's land on Cities Service Wildlife Management Area, 1,254.16 acres more or less.

MR. WILLE: Move.

THE CHAIRMAN: Moved by Mr. Wille. Do I have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: Seconded by Mr. Luttrell.
All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Hearing none opposed, so
ordered.

(The full text of the
resolution is here made
a part of the record.)

WHEREAS, the Commission has
received a lease renewal from Inter-
national Paper Company covering 1,254.16
acres, more or less, of land in the
Cities Service Wildlife Management Area,
Ouachita Parish, and

WHEREAS, this renewal is for a
three-year period beginning July 1, 1978
and ending on July 1, 1981, and

WHEREAS, this agreement is
similar to previous agreements and is
granted to the Commission free of
charge,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wildlife and Fisheries



Commission accepts this land as part of the Commission's Wildlife Management Area system and compliments International Paper Company for its services to the sportsmen of our state.

MR. WILLE: Let me ask you something. Don't we still have those pretty certificates we used to send out to these people?

MR. HERRING: Yes, each one of these companies has received those within the past year or maybe two years.

MR. WILLE: I think we ought to send out one every time we renew it, though.

MR. HERRING: We can do that.

MR. WILLE: That's what we got them for, you know. We appreciate it and it is something for somebody to hang on their wall and say, "Look, we are proud of this."

MR. HERRING: We can do that. There is no problem there. We have the certificates.

MR. WILLE: Thank you.

THE CHAIRMAN: How about the falconry rules, No. 12?



MR. HERRING: O. K. Mr. Chairman, prior to the last meeting, approximately two weeks before, we did send these proposed rules and regulations pertaining to falconry to all the Commission members and all the falconry people in the state, which we have met with on several occasions in drawing up these rules and regulations. The falcons are protected by the U. S. Government, Fish and Wildlife Service, so it has to be a permitting system for these people to have these for the purpose of hunting or just for the sport of having a bird. There is a lot of upkeep to these birds and a lot of patience, I would say, in the people that have them.

At present we only have about 12 falconry people in the state and we don't look for that to even double hardly because of the effort put in it, and so we have made these rules and regulations. They are pretty lengthy and I will not read them but I will ask our court recorder that these be included. They will be furnished copies of this to be included as part of the minutes of this meeting. Also, the press has been given copies



of these and, like I say, we have mailed them out to all interested parties. It is over there. We have mailed them out. If anyone would have any questions, we would be glad to answer them on that. It is a system that will be a written test for these people applying and then their facilities will be checked by our personnel to make sure that the pens and all the facilities come up to our standards and regulations as set forth in these rules.

With this then I would recommend to the Commission that these be accepted as prepared here. They are very liberal. In fact, as I say, the Fish and Wildlife Service, since these birds are protected, gives us the guidelines to go by. We made them exactly on that. We didn't make them any more restrictive. They are just as they set forth because we did not want to restrict these people any more than we had to in keeping these birds, so I would recommend to the Commission then that we accept these rules and regulations as distributed.

THE CHAIRMAN: I am sure if it came out



of Washington it has got to be liberal!

Gentlemen, I would like a motion, please.

MR. WILLE: Move.

THE CHAIRMAN: Moved by Mr. Wille. Do I have a second?

MR. LUTTRELL: Second.

THE CHAIRMAN: Seconded by Mr. Luttrell. All in favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: So ordered.

MR. HERRING: Thank you, Mr. Chairman.

(The full text of the resolution is here made a part of the record.)

WHEREAS, all Commission members have received copies, approximately seven weeks ago, of the proposed "Rules and Regulations Pertaining to Falconry," and

WHEREAS, copies of these proposed rules and regulations have been passed out to the press and interested individuals, and



WHEREAS, these rules and regulations are prepared under the guidelines set forth by the U. S. Fish and Wildlife Service and are no more restrictive than those set forth,

NOW THEREFORE BE IT RESOLVED that these proposed rules and regulations be adopted and the rules and regulations as distributed be made a part of the minutes of this meeting.

(The "Rules and Regulations pertaining to Falconry," as adopted above, are appended hereto and made a part hereof.)

THE CHAIRMAN: We have set August 21 and 22 for the next meeting. We have five weeks in August instead of four. If we get the regulations from the bureaucrats in time out of Washington, to set the duck seasons, we will on the 22nd set the seasons. If not, we will call a special meeting the following week to do it. Hopefully it will be



in time for the 21st-22nd.

Is there any other business to come before the Commission this morning? Does anyone wish to be heard? No comments from the audience? Then I will entertain a motion to adjourn.

MR. RIGGS: I move we adjourn.

MR. WILLE: Second.

THE CHAIRMAN: So ordered.

(Whereupon, at 11:05 o'clock a.m., Tuesday, July 25, 1978, the regular monthly meeting of Louisiana Wildlife and Fisheries Commission was adjourned.)

Helen R. Dietrich,
Reporter.



C E R T I F I C A T E

I, the undersigned reporter, DO HEREBY CERTIFY that the above and foregoing (76 pages of typewritten matter) is a true and correct transcription of the tape recording and of the stenographic notes of the proceedings herein, transcribed by me, at the time and place hereinbefore noted.

New Orleans, Louisiana, this 1st day of September, 19 78.



Helen R. Dietrich,
Reporter.



LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

WILDLIFE AND FISHERIES BUILDING
400 ROYAL STREET
NEW ORLEANS, LOUISIANA 70130

SEAFOOD DIVISION
(504) 568-5676

SEISMIC SECTION
(504) 568-5684

REGULATIONS GOVERNING SEISMIC EXPLORATION

IN THE STATE OF LOUISIANA

In order to prevent the destruction of, or injury to the oysters, shrimp, fish and other aquatic life, wild life, or other natural resources of the State of Louisiana, and pursuant to the authority conferred by Act 127 of 1912 as amended by R.S. 30:214 (Act 175 of 1954), the following rules shall from and after July 25, 1978, govern any exploration work involving the discharge of explosives and other energy sources in the State of Louisiana.

1. The Louisiana Wildlife and Fisheries Commission will designate when, where and how such exploration work shall be conducted under the following rules and regulations. No seismic exploration work shall be started without the approval of the Secretary of the Department of Wildlife and Fisheries and all such work must be carried out in such manner as may be approved by the Secretary. The supervision of this work is under the Seafood Division. Applications for a permit may be made by letter giving name of Party Chief and exploration company, and should be accompanied by a detailed map in duplicate showing the exact area in which the geophysical operations are to be conducted.
2. No seismic exploration work shall be conducted on any wild life refuge, water fowl refuge, game preserve, fish preserve or hatchery, or oyster seed ground reservation without written permission from the agency in charge of such refuge, preserve, hatchery or reservation.
3. Each seismic exploration crew working in the State of Louisiana will always be accompanied by a Seismic Agent, unless exception has been granted by the Louisiana Wildlife and Fisheries Commission. When a crew employs more than one shooting component and the crews are at such a distance apart that it is impossible for the Seismic Agent to travel from one to the other in time to observe the shots of such units, it may be required that an agent be assigned to each shooting component of the crew. The Seismic Agent may be present during the shooting operations of the party or parties to which he is assigned.

4. Daily reports on such exploration work shall be filed with the Seafood Division, of the Department of Wildlife and Fisheries at the end of each working period, on forms provided by the Department. A separate report must be made for each day whether or not shooting is in progress. These reports must furnish complete information as indicated by the report form and must be signed by the Party Chief and by the Seismic Agent. The Party Chief will furnish only such information to the Seismic Agent as is required to fill out the daily reports. Should the Department of Wildlife and Fisheries wish to secure any other information, it will furnish the Party Chief with a written request.
5. Operators shall notify the Seafood Division of the Department of Wildlife and Fisheries of beginning, of interruption, and of cessation of work in any area, and shall keep the Department informed of name and address of Party Chief, and location and movements of the crew or quarter boat.
6. Charges in excess of fifty (50) pounds shall not be used except pursuant to express written authorization from the Chief of the Seafood Division of the Department of Wildlife and Fisheries. Requests for the use of such charges must be made in writing, giving the reasons why such charges are needed, the size of charges to be used, and the depth at which they are to be suspended or buried. Such requests should be addressed to the Seafood Division. Should multiple charges be used, the aggregate amount of explosives should not exceed fifty (50) pounds without special permission from the Chief of the Seafood Division.
7. In the interpretation of these rules and regulations, the dividing line between North and South Louisiana will be latitude 31° North. The area lying South of this latitude is considered South Louisiana.
8. (A) Minimum required depth of charges in South Louisiana and in all water areas shall be as follows for shots detonated in holes:
 - 1) 5 lbs. or less 20 feet
Up to 20 lbs. 40 feet
Up to 30 lbs. 50 feet
Up to 40 lbs. 60 feet
Up to 50 lbs. 70 feet
 - 2) No part of the charge shall be above the minimum required depth.
 - 3) These minimum required depths shall not apply to trial charges and charges for determining condition of the weathering layer, or position and water speed; provided that such charges are not over five (5) pounds, and not fired more than absolutely necessary.

- (B) Minimum required depths of charges in North Louisiana with the exception of water areas shall be as follows:

5 lbs. or less	15 feet
Up to 20 lbs.	20 feet
Up to 30 lbs.	25 feet
Up to 40 lbs.	30 feet
Up to 50 lbs.	35 feet

- (C) The placing of explosive charges on the bottoms of the waters of the Gulf of Mexico, Mississippi Sound, Breton Sound, Chandeleur Sound and Lake Borgne is prohibited. All charges not detonated in holes below the bottom must be suspended and detonated at a point not below the level midway between the surface of the water and the substratum underlying such water; or detonated above the surface of the water. Under no conditions should charges be detonated nearer than five (5) feet to the water bottom or bed.

9. When more than one shot is fired in the same hole and there is any reasonable doubt in the mind of either the Seismic Agent or the Field Manager of the party as to the legal depth of the hole after the shot is fired, the hole will be measured for depth before reloading to ascertain that it is the required depth in accordance with the charge and depth table.
10. All pipe used in geophysical operations must be removed to at least six feet below the surface of the ground, or six feet below the bottom in water areas, before finally leaving the shotpoint. No pipes should be left in the water or unattended when the crew is not working.
11. All parties using pipe in water areas must have clearly stamped at each end of each joint the name or abbreviation of the name of the company using the pipe.
12. All 2x2S used for survey lines must be clearly stamped with the name of the company using the stakes at approximately three-foot intervals. These stakes must be pulled upon the completion of the prospect.
13. All pipes, buoys and other markers used in connection with seismic work shall be properly flagged in the daytime and lighted at night according to the navigation rules of the U. S. Engineers and the U. S. Coast Guard.
14. All holes drilled in geophysical operations in land areas must be filled, by the persons or agency drilling these holes, before leaving the location.
15. No explosives or other energy sources shall be discharged within 250 feet of any oyster reef or bed, including any state-owned natural reefs, without permission of the owner and/or lessee of the reef or bed, approved by the Louisiana Wildlife and Fisheries Commission.

16. All shotpoints in oyster areas must be approved by the Seafood Division before being fired.
17. No explosives shall be discharged within one thousand (1000) feet of a fishing boat without notice being given to such boat so that it may move from the area.
18. Persistent gas and water spouts caused by drilling or shooting operations of seismic crews in water areas will be stopped as soon as possible after they occur.
19. Boats, marsh buggies or other types of marsh vehicles must be so used as to cause the minimum disturbance or damage to the lands, water bottoms, and wild life and fisheries resources thereon.
20. No shooting will be allowed except in daylight hours so that the Seismic Agent may observe the results of each shot, except pursuant to express written authorization from the Chief of the Seafood Division. Such requests must be made in writing justifying this exception.
21. No shooting will be allowed in heavy fog due to danger to boats in close proximity.
22. Agents assigned to seismic crews are under the supervision of the Chief of the Seafood Division of the Department of Wildlife and Fisheries.
 - (A) The Supervisor, on request, will have access to all records, such as shot point location maps, shooters' logs and tracings, but only to the extent necessary to determine that all protective requirements have been complied with.
 - (B) The interpretation of these rules and regulations by the Supervisor will be accepted by the seismic operator and the Seismic Agent.
 - (C) The Party Chief will instruct the members of his party as to these rules and regulations, and to the duty and authority of the Chief of the Seafood Division of the Department of Wildlife and Fisheries and the Seismic Agent.
 - (D) The Party Chief will assist the Seismic Agent to fill out the required form by furnishing all necessary data.
23. When an agent is assigned to a crew, a fee of \$1,500.00 per month will be charged geophysical operators working in the State of Louisiana. For any portion less than one month, a fee of \$75.00 per day will be charged. All payments will be made by the geophysical exploration companies directly

to the Louisiana Department of Wildlife and Fisheries on or before the 20th of each month; therefore, no payments will be made by the operators to the Seismic Agents.

24. The Seismic Agent has the right to stop any particular shooting operation, if, in his opinion, it will violate the above rules and regulations, but does not have the authority to shut down the entire exploration work. If, in the opinion of the Seismic Agent, such violations continue, he will immediately contact the Department of Wildlife and Fisheries Seismic Supervisor, and the members of the exploration party will assist him to do this with all the facilities at their disposal.
25. The Party Chief will furnish the Department of Wildlife and Fisheries Supervisor with whatever transportation needed to allow him to visit the working area, if requested.
26. The Party Chief is required to notify the Seafood Division of the Department of Wildlife and Fisheries if the Seismic Agent is not on the job, and will notify the Seismic Section Supervisor if it should be necessary to relieve the agent at any time.
27. No Seismic Agent shall have the right to release any operator from the obligations imposed by these rules and regulations. Exceptions may be granted by the Louisiana Wildlife and Fisheries Commission only after written application setting forth reasons for this exception. The release, signed by the Secretary will designate the particular area and rule affected and the procedure to be followed in lieu of any established rule.
28. All operators conducting seismic operations shall use reasonable precaution in accordance with approved and accepted methods to prevent destruction of, or injury to, fish, oysters, shrimp and other aquatic life, wild life or other living natural resources and their habitat of the State of Louisiana.
29. Operators shall furnish to the Department of Wildlife and Fisheries a surety bond from a surety company authorized to do business in the State of Louisiana in the full sum of twenty-five thousand (\$25,000.00) dollars when using more than one seismic crew in the field, or five thousand (\$5,000.00) dollars when operating with only one crew. Bond forms may be obtained from the Seafood Division of the Department of Wildlife and Fisheries. The bond should be filled by the applicant.
30. Any violation of these or any other valid rules promulgated by the Louisiana Wildlife and Fisheries Commission for the regulation of seismic operations, or the refusal of any operator or its employees to comply fully with all orders and requirements which may be made by the Louisiana Wildlife and Fisheries Commission at the time the exploration is conducted,

or any attempt to unduly influence any Seismic Agent to abstain from the enforcement of these regulations shall constitute peremptory cause for closing down all exploration work and may mean the barring of the Party Chief, Party Manager or Field Manager involved from future operations in this State.

31. These rules and regulations supersede all other rules and regulations issued prior to this date and are subject to change at the discretion of the Louisiana Wildlife and Fisheries Commission.

APPENDIX A

1. The Seismic Agent may be present during the shooting operations of the party to which he is assigned.
2. The Seismic Agent may be present on the boat from which shot-holes are loaded and will check the hole depth. (By hole depth is meant the depth of hole from the surface of the ground, not the surface of the water, to the top of the last stick of dynamite placed in the hole.) This distance must never be less than twenty feet, in accordance with Section 8 (a) of Rules Governing Seismic Exploration.
3. The Seismic Agent will test around the shothole and ascertain for himself that the shothole is drilled through no oyster bed or reef and that the shothole is at least 250 feet from any oyster bed or reef.
4. The Seismic Agent will keep a record of each shothole and fill out this record as required. This record is a daily report and must also be filled out for days when no work is done.
5. This record will be sent at the end of the working period to the Department of Wildlife and Fisheries, Seafood Division, 400 Royal Street, New Orleans, Louisiana 70130, and must be personally signed by the Party Chief or Party Manager and the Seismic Agent.
6. Seismic Agents will assist the U. S. Engineers in seeing that all pipes are pulled, but the responsibility remains with the geophysical operators to remove the pipe.
7. After the shotpipe is pulled, the Seismic Agent will see that the discarded pipe is not thrown into the water but discarded properly.
8. The Seismic Agent will see that unused shotholes are lighted at night and marked by day according to navigation rules of the U. S. Corps of Engineers or U. S. Coast Guard. The same applies to the drill boat or any other boat which stays overnight in an open water area.
9. The Seismic Agent assigned to a seismic crew will not assume the duties of a game warden, but will report to the Department of Wildlife and Fisheries any violation of wild life and fisheries laws or regulations as he sees them in the regular course of his duties.
10. The Seismic Agent will immediately notify the Department of Wildlife and Fisheries of any change of address of the seismic crew, change of his own address, change of location of the field office or quarterboat.

11. Agents should advise the Party Chief of crew to which they are assigned and the Department of Wildlife and Fisheries of their address after working hours and while away from home.
12. All correspondence and reports will be addressed to the Department of Wildlife and Fisheries, Seafood Division, 400 Royal Street, New Orleans, Louisiana 70130. Telephone 568-5684.

APPENDIX B

The following permits are required to conduct geophysical operations in the State of Louisiana:

1. A permit from the Louisiana Wildlife and Fisheries Commission for all seismic exploration work in the State of Louisiana is required. The supervision of this work is under the Seafood Division of the Department of Wildlife and Fisheries, New Orleans, Louisiana.
2. A permit from the State Mineral Board is required to conduct any geophysical or geological exploration on State-owned lands or water bottoms. Application for permit should be made to the State Mineral Board, Baton Rouge, Louisiana.
3. A permit from the Department of Transportation is required for geophysical operations along the public highways of the State. (If public highways are not regularly maintained by the Department of Transportation, it shall be necessary to procure the consent of the Police Jury of the Parish in which said public highway is located.) Permits are issued by the Department of Transportation, Baton Rouge, Louisiana.
4. A permit from the State Police is necessary for the transportation of explosives over the highways of Louisiana. Such permits are issued by the Department of Public Safety, Division of State Police, Baton Rouge, Louisiana. Inspection slips for such permits may be obtained from any State Police Troop headquarter.
5. A permit from the U. S. Corps of Engineers is necessary when exploration work is to be conducted in navigable streams. Applications for such permits should be submitted to the District Engineer, Corps of Engineers - New Orleans District, Foot of Prytania Street, New Orleans, Louisiana; Vicksburg District, Vicksburg, Mississippi; or Galveston District, Galveston, Texas.

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
P. O. BOX 585
OPELOUSAS, LOUISIANA 70570

RULES AND REGULATIONS PERTAINING TO FALCONRY

1. Raptors for use in falconry may be captured or kept in captivity in Louisiana only under permit issued by the Department. Raptor as used in these regulations means a live migratory bird of the family Accipitridae, other than the bald eagle (Haliaeetus leucocephalus), or of the family Falconidae or the great horned owl (Bubo virginianus) of the family Strigidae. Before any falconry permit is issued the applicant shall be required to answer correctly at least eighty (80%) of the questions on a federally approved examination provided and administered by the Department. The examination shall apply to all applicants for their first permit.

Applicants who show written proof of having successfully passed a federally approved falconry examination in another state may be issued a Louisiana falconry permit.

2. Falconry permits shall be valid for a period of one year and shall be renewed on July 1 of each year. There shall be four classes of permits issued.

Apprentice Permit - An applicant for an apprentice permit shall be at least sixteen years old and shall be sponsored by a person holding a General or Master Falconry permit. A sponsor may not have more than three apprentices at any one time.

Apprentice permittees may not possess more than one raptor and may not obtain more than one raptor for replacement during any 12-month period.

Apprentice permittees may take and possess only a passage American kestrel (Falco sparverius), a red-tailed hawk (Buteo jamaicensis), or red-shouldered hawk (Buteo lineatus). Such a bird may be taken from October 1 through February 26.

General Permit - An applicant for a general falconry permit shall be at least eighteen years old and shall have at least two years experience at the apprentice level or its equivalent.

General permittees may not possess more than two raptors and may not obtain more than two raptors for replacement during any 12-month period.

Passage and eyas birds may be taken from October 1 through February 26 and eyasses only from May 1 through May 31 by general permittees.

Master Permit - An applicant for a master falconry permit shall have at least five years of experience in the practice of falconry at the general license level or its equivalent.

Master permittees may not possess more than three raptors and may not obtain more than two raptors for replacement during any 12-month period.

Passage and eyas birds may be taken from October 1 through February 26 and eyasses only from May 1 through May 31 by master permittees.

Nonresident Permit - An applicant for a nonresident falconry permit shall possess a general or master falconry permit or license in his state of residence. A copy of this permit or license shall be submitted with the application.

Nonresident permittees may not import into or possess more than two raptors in Louisiana and may not obtain more than two raptors in this state for replacement during any 12-month period.

Passage and eyas birds may be taken from October 1 through February 26 and eyasses only from May 1 through May 31 by nonresident permittees.

3. Permittees shall have in possession a falconry permit and a valid hunting license when engaged in the practice of falconry. In addition, a state Game Breeders License is required to keep any raptor in captivity. This license may be obtained from the Department at a cost of \$10.00 annually.
4. Permittees shall abide by all seasons, bag limits, and other regulations of the Department when practicing falconry on game species. Protected birds and mammals taken incidentally by a raptor shall not be retained or possessed by a permittee.
5. Another person may care for the birds of a permittee if written authorization from the permittee accompanies the birds when they are transferred. If the period of care is to exceed thirty (30) days, the Department shall be notified.
6. All raptors obtained shall be marked immediately upon acquisition by numbered nonreusable markers supplied by the U. S. Fish and Wildlife Service. These markers shall not be altered and shall be removed from birds which die or are released into the wild and surrendered immediately to the Department.
7. Permittees must submit a report to the Department by July 31 indicating the following information:
 - A listing of all raptors in his possession on June 30 by species, marker number, sex, age, and date and where or from whom acquired.

A listing of all raptors possessed or acquired since the previous annual report, but no longer possessed, by species, marker number, sex, age, date and where or from whom acquired or given to, whether escaped, died, or released, and the date the event occurred.

A listing of all birds and mammals taken while engaged in the practice of falconry.

8. The Department may deny issuance or renewal or revoke any falconry permit if the applicant or permittee has been convicted of a violation of any federal or state falconry regulation. A permittee whose permit has been denied or revoked shall immediately dispose of any raptors possessed under the authority of the falconry permit as directed by the Department.
9. All facilities and equipment shall be maintained at or above the standards established by these regulations.

Facilities:

Indoor facilities (mews) shall be large enough to allow easy access for caring for the raptors housed in the facility. If more than one raptor is to be kept in the mews, the raptors shall be tethered or separated by partitions and the area for each bird shall be large enough to allow the bird to fully extend its wings. There shall be at least one window, protected on the inside by vertical bars, spaced narrower than the width of the bird's body, and a secure door that can be easily closed. The floor of the mews shall permit easy cleaning and shall be well drained. Adequate perches shall be provided.

Outdoor facilities (weathering area) shall be fenced and covered with netting or wire, or roofed to protect the birds from disturbance and attack by predators, except that perches more than 6½ feet high need not be covered or roofed. The enclosed area shall be large enough to insure the birds cannot strike the fence when flying from the perch. Protection from excessive sun, wind, and inclement weather shall be provided for each bird. Adequate perches shall be provided.

Equipment:

The following items shall be in possession before a falconry permit can be issued:

At least one pair of alymeri or similar type jesses constructed of pliable, high-quality leather or suitable synthetic material to be used when the raptor is flown free. Traditional one-piece jesses may be used on raptors when not being flown.

At least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design.

At least one suitable water container, two to six inches deep and wider than the length of the raptor for each raptor.

At least one weathering-area perch of acceptable design for each raptor.

A reliable scale or balance suitable for weighing the raptors held and graduated to increments of not more than one-half ounce.